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July 27, 2005

Mr. Stephen Johnson, Administrator  
U.S. Environmental Protection Agency  
Ariel Rios Building, 1101-A  
1200 Pennsylvania Ave., N.W.  
Washington, DC 20460

Subject: Comments on the HPV Test Plan for Tris(2-chloroethyl) phosphite

Dear Administrator Johnson:

The following comments on Rhodia's test plan for the chemical tris(2-chloroethyl) phosphite are submitted on behalf of the Physicians Committee for Responsible Medicine, People for the Ethical Treatment of Animals, the Humane Society of the United States, the Doris Day Animal League, and Earth Island Institute. These health, animal protection, and environmental organizations have a combined membership of more than ten million Americans.

Rhodia, Inc. submitted its test plan on March 30, 2005, for the chemical tris(2-chloroethyl) phosphite (CAS No. 140-08-9), referred to as T2CEP. This chemical is an organophosphate and used as an intermediate in the manufacture of a downstream product. Rhodia does not identify the product nor does it indicate how this chemical is used. Although this information would be helpful in evaluating the hazard potential of T2CEP, Rhodia has compiled existing data on T2CEP to meet almost all the SIDS endpoints. Furthermore, this chemical is described as a closed-system intermediate, for which repeated dose and reproductive toxicity endpoints are not required under the HPV program. However, Rhodia is proposing to conduct a combined reproductive/developmental screen (OECD 421) which, if conducted, will result in the death of 675 animals simply to "check-the-box" for developmental toxicity.

We disagree with Rhodia's proposal to conduct additional animal tests with T2CEP. While there may not be data on T2CEP *per se* with regard to potential developmental toxicity, this chemical is an organophosphate (OP) and this class of chemicals has been extensively studied by the EPA. Indeed, the OPs were among the first class of chemicals reevaluated as a group by the EPA under the requirements of the Food Quality Protection Act (FQPA). For the purposes of the HPV program, T2CEP should be treated as another OP and no additional animal testing should be conducted. Moreover, at least nine published studies on the reproductive/developmental toxicity of three structurally similar chemicals (TEP, TCEP, and BISCEP) are available. These data could be used in a "read-across" approach to fill the SIDS endpoint for developmental toxicity of T2CEP and no additional testing should be conducted. This is a scientifically valid approach for analyzing the toxicity of this chemical and in fact, Rhodia uses this approach to fill data gaps for acute toxicity towards fish and daphnia.

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We submit, in this instance, that the totality of information on this class of chemicals could be used in a weight-of-evidence approach with no additional testing conducted on T2CEP. This approach would not only save the lives of many animals but would also demonstrate a thoughtful analysis of the likely toxicity of this chemical based on existing data from analogous chemicals as well as previous experience with the organophosphate class of pesticides. This would be consistent with the EPA's stated commitment to reducing the number of animals killed in the HPV program.

Thank you for your attention to these comments. I may be reached at 202-686-2210, ext. 327, or via e-mail at [meven@pcrm.org](mailto:meven@pcrm.org).

Sincerely,

Megha Even, M.S.  
Research Analyst

Chad B. Sandusky, Ph.D.  
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